

March 11, 2021



U.S. Department  
of Transportation

East Building, PHH-30  
1200 New Jersey Avenue S.E.  
Washington, D.C. 20590

**Pipeline and Hazardous  
Materials Safety Administration**

DOT-SP 20294  
(FIRST REVISION)

2022-12-31 (FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: (See individual authorization letter)
2. PURPOSE AND LIMITATION:
  - a. This special permit authorizes a 5-year periodic hydrostatic pressure test on UN portable tanks used in the transportation of certain hazardous materials to be performed with mineral oil rather than water. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein. The most recent revision supersedes all previous revisions.
  - b. The safety analyses performed in the development of this special permit only considered the hazards and risks associated with the transportation in commerce.
  - c. Unless otherwise stated herein, this special permit consists of the special permit authorization letter issued to the grantee together with this document.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 172.203(a) in that each shipping paper need not bear the special permit number; § 172.302(c) in that each package need not be marked with the special permit number; and § 180.605(h)(3) in that the 5-year periodic hydrostatic pressure test on UN portable tanks may be performed with mineral oil instead of water.
5. BASIS: This special permit is based on the application of The Dow Chemical Company dated September 25, 2020 submitted in accordance with § 107.105 and the public proceeding thereon.

Tracking Number: 2020095321

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Combustible liquid, n.o.s.*	Comb liq	NA1993	III
Organometallic substance, liquid, water-reactive, flammable*	4.3	UN3399	II
Organometallic substance, liquid, water-reactive*	4.3	UN3398	III
Environmentally hazardous substance, liquid, n.o.s.*+	9	UN3082	III

\* Requires technical name in accordance with § 173.203(k).

+ This material may be transported as a marine pollutant in accordance with the applicable requirements of the HMR as authorized in Appendix B to §172.101 - List of Marine Pollutants.

7. SAFETY CONTROL MEASURES:

a. PACKAGING: Packagings prescribed are "T11" UN portable tanks conforming in all details to the applicable requirements in Part 178 of the HMR. Additionally, each UN portable tank may not exceed the following:

- (1) A capacity of 122 gallons (460 liters); and
- (2) A test pressure of 13.5 bar (196 psig).

b. TESTING: Authorized UN portable tanks are required to be periodically requalified in accordance with all applicable requirements of Part 180 of the HMR, except that the UN portable tanks may be hydrostatically pressure tested using a mineral oil with a viscosity lower than the viscosity of the liquid transported in the UN portable tank rather than water as prescribed in § 180.605(h)(3).

c. OPERATIONAL CONTROLS:

(1) Only portable tanks owned and used by The Dow Chemical Company, Union Carbide Corporation and Univation Technologies, LLC are authorized to be tested under the terms of the special permit. Only those persons granted party status to this special permit (see paragraph 2.c.) may use the portable tanks covered by this special permit.

(2) Portable tanks tested under the terms of the special permit must remain in dedicated service for each liquid hazardous material as indicated in paragraph 6 of this special permit.

(3) Portable tanks covered by this special permit are considered to have remained in dedicated service when the materials classed as "UN3082, Environmentally Hazardous Substance" are shipped domestically as non-hazardous materials.

8. SPECIAL PROVISIONS: A current copy of this special permit must be maintained at each facility where the pressure testing is performed and be made available to a DOT representative upon request.
9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight and cargo vessel.
10. MODAL REQUIREMENTS: None as a requirement of this special permit.
11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq.
- o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
  - o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
  - o Registration required by § 107.601 et seq., when

applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when this special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)—"The Hazardous Materials Safety and Security Reauthorization Act of 2005" (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term "exemption" to "special permit" and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for William Schoonover  
Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Material Safety Administration, U.S. Department of Transportation, East Building PHH-30, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

**March 11, 2021**

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at

[http://hazmat.dot.gov/sp\\_app/special\\_permits/spec\\_perm\\_index.htm](http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm).

Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: VC/TG